

HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JUDRISDICTION

Dated Nainital the June 26th, 2006

Bail Application No. 545 of 2006

Order on the bail application of accused.

CRIMINAL SIDE

Nadim

S/o Jabi Ulla

R/o Mohalla Madina Sah

Thana Sadar Kotwali

Dsitriect – Pilibhit

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Applicant

Versus

State of Uttaranchal

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Opposite Party

In Case Crime No. 715 of 2006

U/s 379, 411 I.P.C.

Police station – Thana Sitarganj

District – Udham Singh Nagar

Hon'ble J.C.S. Rawat, J.

Heard Sri M.K. Goyal-learned Counsel for the applicant, learned A.G.A. for the State and perused the record.

It was contended that the memo of arrest and recovery were prepared at the police station. If the arrest memo would have been prepared at the police station, the arresting Officer and the person who have prepared the memo should also indicate as to why they had not prepared the said memo in the spot. There is no averment in the said recovery memo. It is contended that the prosecution case is not believable.

Considering the facts and circumstance of the case in totality, it is a fit case for bail at this stage.

Let the accused-applicant, Nadim be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the Magistrate concerned.

(J.C.S. Rawat, J.)

Dated 26.06.2006

LSR